

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 8, 2004 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #04062 - Historic Preservation - to operate a crisis center in a landmark

PROPOSAL: To expand the existing Rape/Spouse Abuse Crisis Center operating in the landmark Pace-Woods House to include the adjacent "Lally House," a proposed landmark

LOCATION: Generally located east of S. 26th Street, on the south side of N Street (2541 N Street)

LAND AREA: .15 acre, more or less.

CONCLUSION: In conformance with the Comprehensive Plan and Zoning Ordinance.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Irregular Tracts lots 46 and 59 in the NE quarter of Section 25, Township 10 North, Range 6 East, Lancaster County, NE.

EXISTING ZONING: R-6, Residential District.

EXISTING LAND USE: Single family residence.

SURROUNDING LAND USE AND ZONING:

North:	"Lighthouse" (youth services) Credit Union	R-6 Residential & B-3 Commercial
South:	Residential	R-6, Residential
East:	Residential	R-6, Residential
West:	Office in Landmark	R-6, Residential, designated as Landmark

HISTORY: Special Permit #1914 to use the landmark Pace-Woods House at 2545 N Street (adjacent to the subject property, to the east) as the Rape/Spouse Abuse Crisis Center (RSACC) was approved in 2001.

COMPREHENSIVE PLAN SPECIFICATIONS: This area is shown as residential (F-25).

Seek incentives and regulatory support for the rehabilitation of existing buildings in order to make it more feasible to rehabilitate and continue to use older buildings. (F-142)

TRAFFIC ANALYSIS: N Street is an “urban collector” street. S. 26th Street is a local street.

ALTERNATIVE USES: Multiple family residences, duplexes, single family residences, and other permitted uses in the R-6 district.

ANALYSIS:

1. This is a request for a special permit to use a landmark property as a crisis/counseling center. RSACC operates from an adjacent historic house (Pace-Woods House, 2545 N Street) and wishes to attach the Lally House at 2541 N Street to the main facility and expand its office and counseling uses into the combined houses, as well as expanding its parking area to the south.
2. There is an existing special permit for RSACC to operate in the Pace-Woods House at the corner of 26th and N Streets.
3. The Antelope Valley Redevelopment Plan, currently under consideration by City Council, proposes conservation of existing buildings in this area and acknowledges the landmark Pace-Woods and Murphy-Sheldon Houses that bracket the Lally House.
4. Lincoln Municipal Code Section 27.63.400 states, in part:
In any zoning district a special permit may be granted to allow the preservation of a historic structure or site and the reuse thereof. This permit shall be limited to structures or sites designated as landmarks under Chapter 27.57.
(a) The City Council may approve, by special permit, any use of a historic structure or site in any zoning district after review and consideration of the following:
 - (1) The significance of the historic structure or site and the degree of variation sought from the permitted uses of the district;*
 - (2) The extent to which economic factors necessitate the change in use;*
 - (3) The extent of proposed exterior change to the structure or site;*
 - (4) The impact on the surrounding area;*
 - (5) The compatibility of the proposed use to the structure or site and the surrounding area; and*
 - (6) The manner in which the public will be benefitted by such proposed use.*

5. The Historic Preservation Commission voted unanimously on Oct. 21, 2004 to find that the Lally House met the “Standards for Designation” of a Lincoln Landmark for architectural significance. The first consideration of Special Permits–Historic Preservation, the significance of the structure, is met if the City Council concurs with the Preservation Commission and designates the property as a landmark.
6. Permitting the use of 2541 N Street by RSACC requires a change of zone or a special permit. The R-6 district is described as “a generally redeveloping area of moderately high residential density” which in addition to houses, duplexes, and apartments, accommodates lodging houses, fraternities and sororities, private clubs, and support facilities, such as schools parks, community buildings, and churches. Uses within a block of Lally House include Elliott Elementary School and the “Lighthouse” teen facility. The house at 2541 N Street is bracketed east and west by designated landmarks operating under special permits–RSACC’s Pace-Woods House at 2545 N and the Murphy-Sheldon House, a designated landmark which operates as a law office, at 2525 N Street.

Regarding the second issue raised by LMC 27.63.400–the degree of variation between the requested use and residential uses allowed in the district–the degree might be described as moderate. The degree of variation between the requested uses and the actual uses of the surrounding area might better be described as slight or none, considering the non-residential uses listed above. The location at the edge of the transition area between commercial uses associated with O Street and the residential uses is a sensitive one. Like the special permits approved for the neighboring landmarks, this request keeps an historic building in place and the residential zoning unchanged, while allowing a somewhat more intensive use.

7. The degree to which economic factors necessitate the change in use is subjective, but the agency has invested substantially, over a decade, in the exterior and interior rehabilitation of the adjacent building and has already purchased the Lally House.
8. The proposed exterior changes consist of a link between the two houses, recessed 32 feet back from the Lally House porch, and the rehabilitation of the Lally House exterior. The Historic Preservation Commission approved these modifications as appropriate to the landmark, with the condition that the final designs be submitted to the Commission for review and approval under the Certificate of Appropriateness process.
9. Key issues in the review of landmark special permits by Planning Commission are the interrelated items 4, 5, and 6 in LMC 27.63.400–the impact on the surrounding area, the compatibility of the proposed use with the structure and the area, and the public benefit of the proposed use. The impact of permitting RSACC to operate in this area has been tested for over a decade and apparently has not been adverse,

as no complaints have been received through the public hearings or notifications conducted to date.

The public will benefit by the requested use through the important services offered by RSACC and through the enhanced maintenance of a neighborhood landmark.

10. The Public Works and Utilities Department reviewed the submitted site plan and noted that it must meet design standards, and further indicated that the conceptual plan appeared to work but must be dimensioned for final approval, which can be accomplished as part of the building permit review prior to construction. (See attached memo,)
11. Fire Prevention/Life Safety review indicated the need for sprinklers to use the building for offices in its present configuration, but noted no other problem with the request. (See attached memo.)
12. The City-County Health Department reviewed the proposal and had no objections.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
 - 1.1.1 A dimensioned site plan demonstrating that the parking lot meets design standards.
2. This approval permits the use of 2541 N Street as part of the Rape/Spouse Abuse Crisis Center.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised **final** plan including 7 copies and the plans are acceptable.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.5 The landmark designation of 2541 N Street is approved.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
- 4.1 Before occupying the building all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

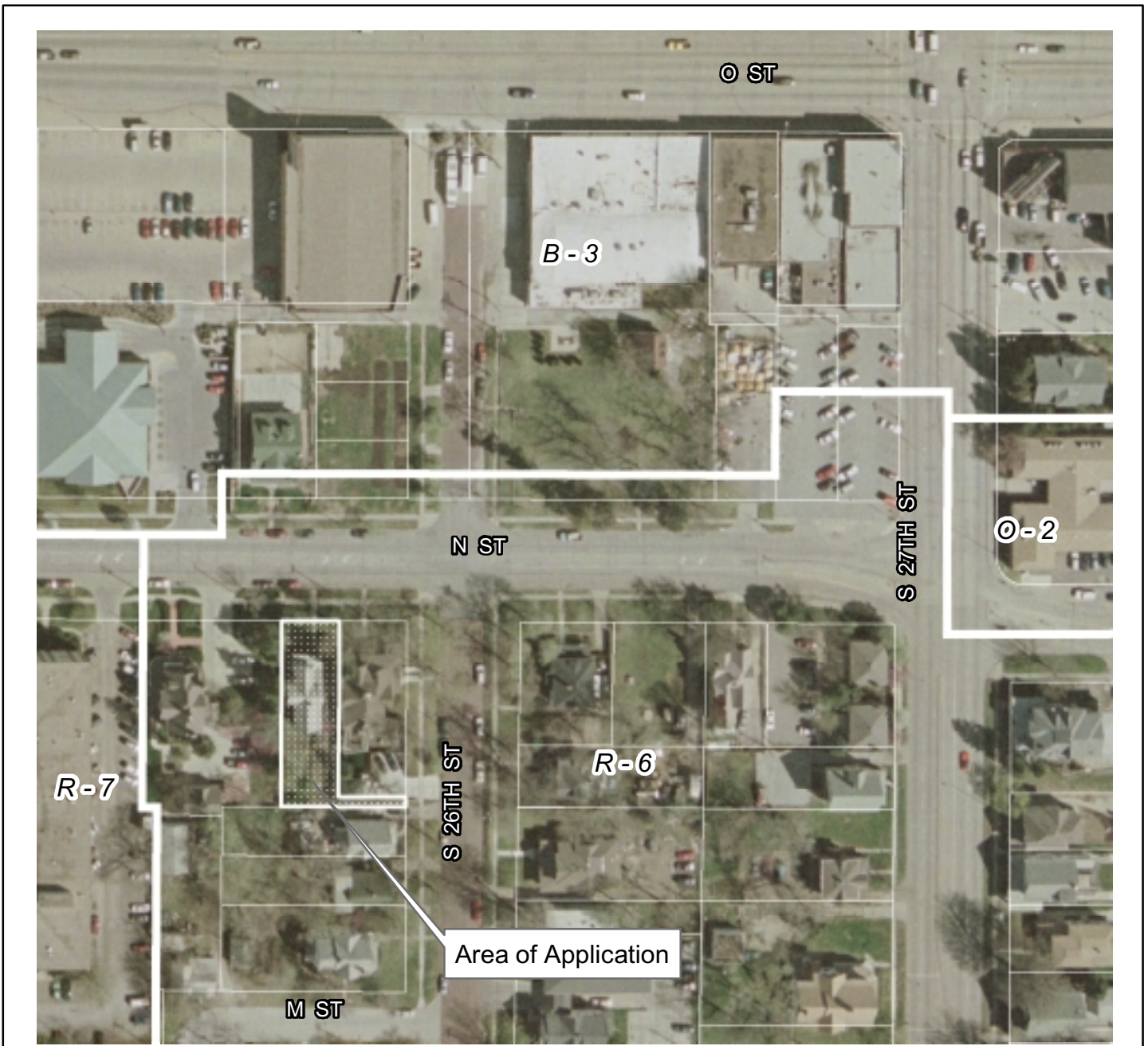
Prepared by:

Ed Zimmer, ezimmer@lincoln.ne.gov
Historic Preservation Planner

DATE: November 24, 2004

APPLICANT & OWNER: Rape/Spouse Abuse Crisis Center
2545 N Street
Lincoln, NE 68510
(402)476-0899

CONTACT: Dave Johnson
StudioNRG
105 N. 8th Street
Lincoln, NE 68508
(402)429-7109



Change of Zone #04078 **Special Permit #04062** **S. 25th & N Street**

2002 aerial

Zoning:

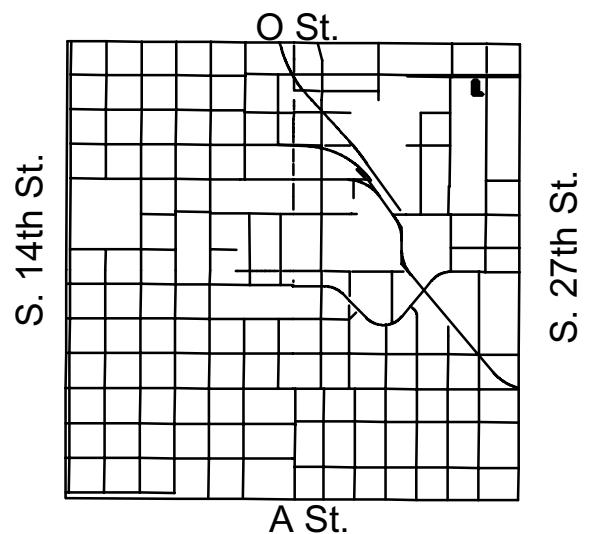
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 25 T10N R6E



Zoning Jurisdiction Lines

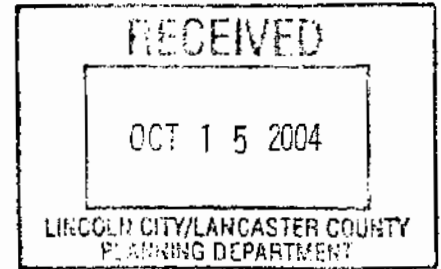
City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.

October 15, 2004

Ed Zimmer
Planning Department
City of Lincoln
Room 213
555 South 10th Street
Lincoln, Nebraska 68508



RE: Rape Spouse Abuse Crisis Center
2545 N Street & 2541 N Street

Dear Ed,

Please accept this application for Landmark Designation and Special Use Permit for the property located at 2541 N Street, IT lot 46 and 59 NE 25-10-6.

The Rape Spouse Abuse Crisis Center (RSACC) has purchased this property and is interested in using this property as an extension to its current facility located adjacent to the east at 2545 N Street. Although our goal is to have the two buildings appear from the street to be individual dwelling units, we are proposing to physically connect the two buildings for reasons of safety and security of both the staff and clientele.

The current facilities' offices are over crowded and in some instances shared by four staff members. The current facilities' group and individual counseling spaces are inadequate in number and size. The acquisition and use of the 2541 building will allow most of the staff to have individual offices, which in turn will allow for individual counseling in the staff members office. The 2541 building will also allow for a larger group room that will better facilitate the services that RSACC offers to the community. The connecting link will also allow for new accessible restroom facilities on both floors, currently there is one accessible restroom on the main floor of the existing facility and two other small restrooms on the second floor. The additional property will also allow for an increase in the off street parking for the facility. Currently there are four off street stalls, the additional property will allow for up to an additional ten off street parking stalls.

The addition of the 2541 building will not necessarily increase the services or the traffic of the facility but will allow better use and access of RSACC's services.

Attached please find a colored rendering of the proposed facilities showing the connecting link. Also attached is a digital picture of the current state of the two buildings. We have attached the proposed first and second floor plans also.

Sincerely,

David L. Johnson, AIA
President

studioNRG



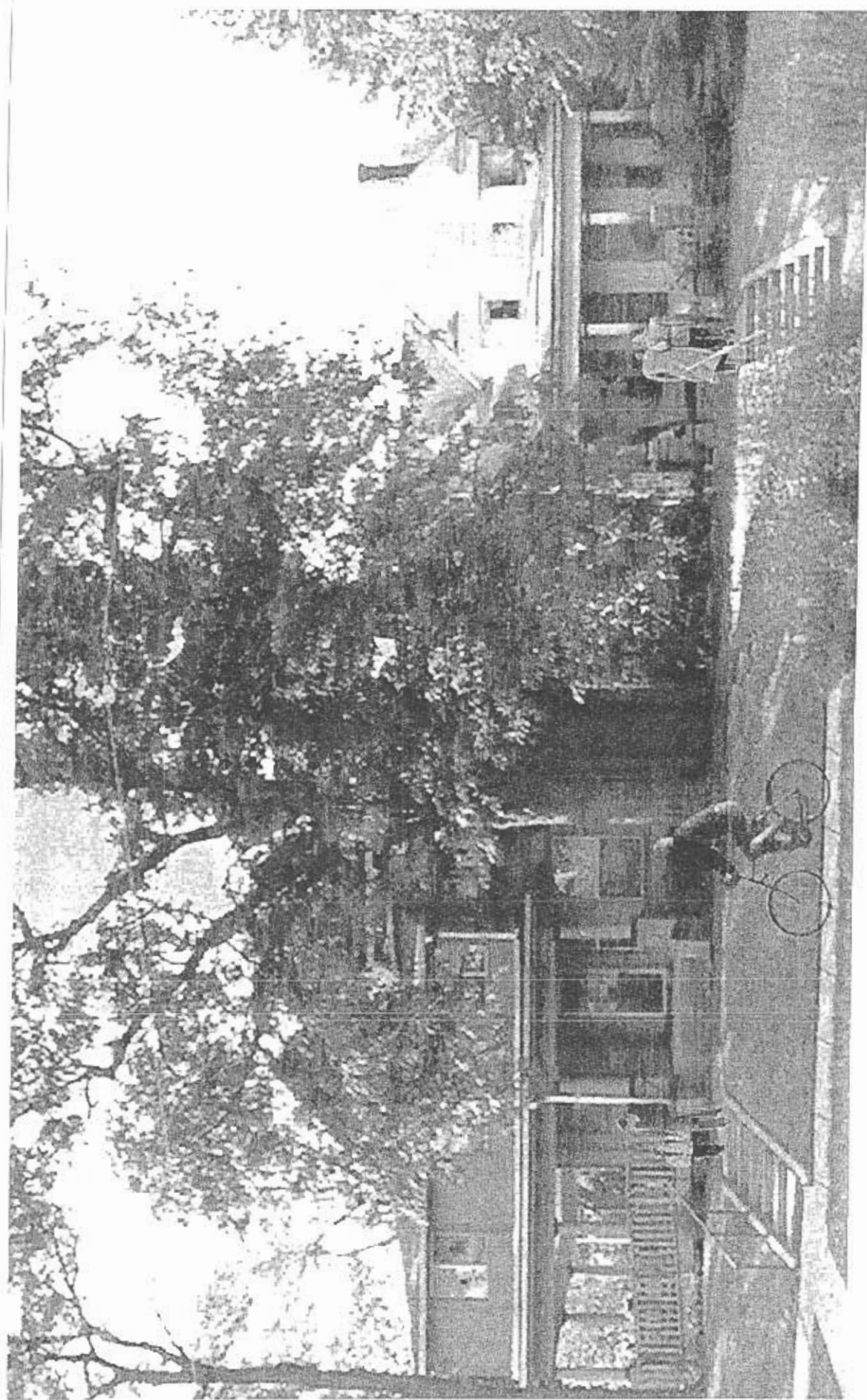
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proposed condition

10.14.2004

projekt - rekonstrukcja

RSACC



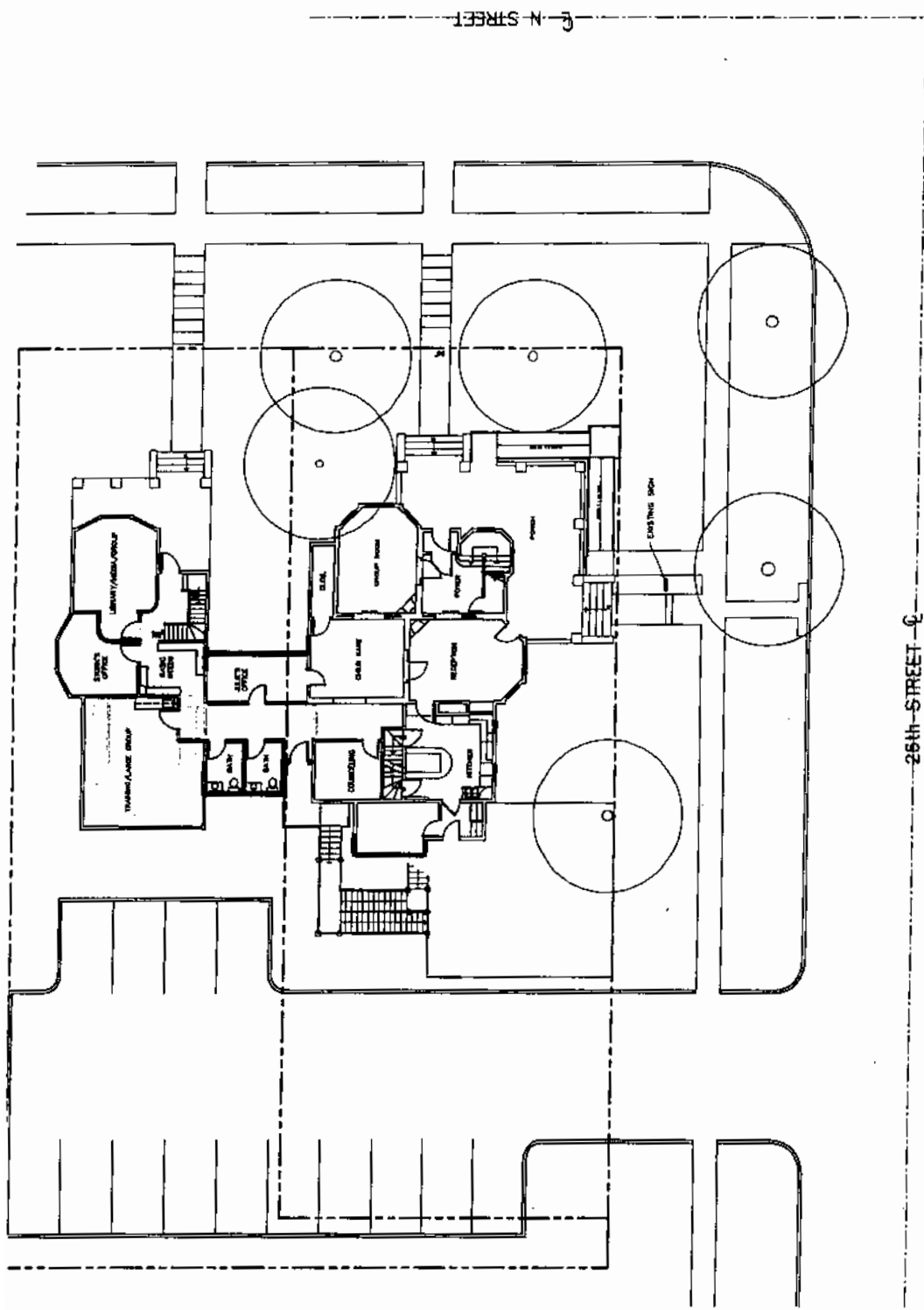
studio

existing site condition

10 to 2004

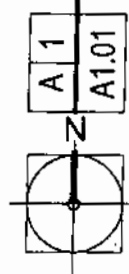
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SITE PLAN

SCALE: NONE



**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Ed Zimmer

DATE: November 22, 2004

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File
EH Administration

SUBJECT: SP #04062

The Lincoln-Lancaster County Health Department has reviewed the special permit application and has no objection to the approval of this application.

Memorandum

To:	Ed Zimmer, Planning Department
From:	Charles W. Baker, Public Works and Utilities
Subject:	Special Permit #04062, 2545 and 2541 'N' Street
Date:	November 24, 2004
cc:	Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Landmark Designation and Special Use Permit at 2541 and 2545 'N' Street. Public Works has no objections. The proposed parking layout at the rear of the residences must meet Design Standards. The conceptual layout appears to work, however without dimensions Public Works cannot approve the submitted site plan. The final plan will be reviewed through the Department of Building and Safety by Public Works for the parking lot construction.

IMPORTANT

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Permit # **DRF04183**

Address

Job Description: Development Review - Fire

Location:

Special Permit: Y 04062

Preliminary Plat:

Use Permit:

CUP/PUD:

Requested By **ED ZIMMER**

Status of Review: Denied

11/15/2004 7:45:39 PM

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

BOB FIEDLER

Comments: need a meeting with applicant , even though I have no problem with the special permit this building will need to be sprinkled to change its use to offices, in its present configuration.

Current Codes in Use Relating to Construction Development in the City of Lincoln:

2000 International Building Code and Local Amendments
2000 International Residential Code and Local Amendments
1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
1989 Fair Housing Act As Amended Effective March 12, 1989
1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
1999 National Electrical Code and Local Amendments
1997 Uniform Mechanical Code and Local Amendments
1994 Lincoln Gas Code
2000 NFPA 101 Life Safety Code
2000 Local Amendments International Firecode
Applicable NFPA National Fire Code Standards

